

PUBLIC NOTICE

In accordance with Chapter 391-3-6.05 of the Rules and Regulations for Water Quality Control of the State of Georgia, the City of Cairo's Public Works Department is publishing this notice of a raw sewage spill.

On January 24, 2002 a spill occurred at The 7th Ave Liftstation. The spill was the result of a temporary pump that we installed and it was not able to handle the load we expected. The raw sewage was discharged from approximately 3:00 p.m. on Thursday, January 24, 2002 until 7:00 p.m. on January 24, 2002. An estimated amount of 8,400 gallons was discharged into Little Tired Creek.

There were no corrective actions available to mitigate the possible adverse effects of the spill. Per the rules and regulations, monitoring stations will be established upstream and downstream of the spill point. Reports on the monitored parameters will be sent to the Environmental Protection Division on a prescribed schedule for the next twelve months.

Raymond Stokes
Public Works Director

City of Cairo Pollution Control Plant
579 6th Street, S.W., Cairo, Georgia 31728

March 6, 2002

Ms. Emily Wingo
Permitting, Compliance and Enforcement Program
4244 International Parkway, Suite 110
Atlanta, Georgia 30354

Dear Ms. Wingo:

Upon your request, I have today issued this letter referencing the spill at the City of Cairo wastewater treatment facility.

The spill that occurred at the wastewater treatment plant was caused by a hydraulic overload due to heavy rainfall. The City of Cairo's collection system is experiencing inflow and infiltration. The normal flow to the wastewater treatment facility is around 1.5 million gallons per day (MGD). During the rain event, the plant inflow increased to over 5 MGD. We received approximately 3.5 inches of rainfall on March 2, 2002. Approximately 33% of the influent coming into the plant was wastewater. The other 67% was rainwater. The spills occurred as indicated:

- Started March 2, 2002 at 10:30 a.m., and ended at 12:30 p.m. The amount of spillage was approximately 6,000 gallons.
- It started again on March 2 at 1:40 p.m., and ended at 2:45 p.m. The amount of spillage was approximately 3,250 gallons.
- It started again on March 3 at 5:00 a.m., and ended at 7:45 a.m. The amount of spillage was approximately 8,250 gallons.
- It started again on March 3 at 8:30 a.m., and ended at 12:15 p.m. The amount of spillage was approximately 11,250 gallons.

The total amount spilled from March 2 to March 3 was approximately 28,750 gallons.

There were no immediate corrective actions available to mitigate the possible adverse effects of the spill. Per the rules and regulations, monitoring stations were established upstream and downstream of the spill point. Signs will be posted upstream and downstream of the spill point to notify the public of the spill. Local media and newspaper were given a public notice of the spill. Local Health Department was notified about the spill. Reports on the monitored parameters will be sent to the Environmental Protection Division on a prescribed schedule for the next twelve months.

If you have any questions, please contact me at (229) 377-5025.

Sincerely,


Charles Mitchell
Pollution Control Superintendent

Cc: Robert Hopkins-City Manager
Cc: Raymond Stokes-Public Works Director

PUBLIC NOTICE

In accordance with Chapter 391-3-6-.05 of the Rules and Regulations for Water Quality Control of the State of Georgia, the City of Cairo's Public Works Department is publishing this notice of a raw sewage spill.

On March 2, 2002, a spill occurred at The City of Cairo Wastewater Treatment Plant. The spill was caused by a hydraulic overload due to heavy rainfall. The raw sewage was discharged from approximately 10:30 a.m. on March 2 until 2:45 p.m. on March 2, 2002. An estimated amount of 9,250 gallons was discharged into Parkers Mill Creek.

Also on March 3, 2002, a spill occurred at The City of Cairo Wastewater Treatment Plant. The spill was caused by a hydraulic overload due to heavy rainfall. The raw sewage was discharged from approximately 5:00 a.m. on March 3, 2002 until 12:15 p.m. on March 3, 2002. An estimated amount of 19,500 gallons was discharged into Parkers Mill Creek.

There were no corrective actions available to mitigate the possible adverse effects of the spill. Per the rules and regulations, monitoring stations were established upstream and downstream of each spill point. Reports on the monitored parameters will be sent to the Environmental Protection Division on a prescribed schedule for the next twelve months.

PUBLIC NOTICE

In accordance with Chapter 391-3-6.05 of the Rules and Regulations for Water Quality Control of the State of Georgia, the City of Cairo's Public Works Department is publishing this notice of a raw sewage spill.

On September 19, 2002, a spill occurred at the 7th Avenue Lift Station. The spill was caused by a mechanical failure due to heavy rainfall. The raw sewage was discharged from approximately 6:00 a.m. on September 19th until 9:20 a.m. on September 19, 2002. An estimated amount of 2,700 gallons was discharged in Little Tired Creek.

There were no corrective actions available to mitigate the possible adverse effects of the spill. Per the rules and regulations, monitoring stations were established upstream and downstream of each spill point. Reports on the monitored parameters will be sent to the Environmental Protection Division on a prescribed schedule for the next twelve months.

Raymond Stokes
Public Works Director

Georgia Department of Natural Resources

Environmental Protection Division, Water Protection Branch
4220 International Parkway, Suite 101, Atlanta, Georgia 30354
Permitting, Compliance and Enforcement Program
404/362-2680
FAX: 404/362-2691

February 11, 2003

Honorable Dan A. Wells, Mayor
City of Cairo
Post Office Box 29
Cairo, Georgia 31728-0029

RE: Expedited Enforcement Compliance Order
Permit No. GA02-087

Name: <u>CAIRO</u>	
Correspondence: <	
Permit:	
Pretreatment	
State:	_____
Local:	_____
Permit:	_____
Operating: _____	

Dear Mayor Wells:

A review of the Environmental Protection Division's (EPD) files indicates that the City of Cairo (City) has reported six unpermitted discharges to the waters of the State between March 2 and November 12, 2002. This letter is being written to document the fact that these unpermitted discharges violated your Land Application System (LAS) permit, the Georgia Rules and Regulations for Water Quality Control, and the Official Code of Georgia Annotated. The City is being cited for the following:

UNPERMITTED DISCHARGES

Spill date	Location	Gallons	Water Way Impacted
03/02/02	Influent MH @ City of Cairo WPCP	9,250	Parkers Mill Creek
03/03/02	Influent MH @ City of Cairo WPCP	19,500	Parkers Mill Creek
03/02/02	Seventh Avenue Lift Station	5,400	Little Tired Creek
03/03/02	Seventh Avenue Lift Station	10,702	Little Tired Creek
09/19/02	Seventh Avenue Lift Station	2,700	Little Tired Creek
11/12/02	Influent MH @ City of Cairo WPCP	7,000	Parkers Mill Creek

EPD is offering to resolve and settle this matter through the enclosed "Expedited Enforcement Compliance Order and Settlement Agreement" (Order). If you agree to the terms of the Order, please correct the cause of the violations immediately and sign and return the Order within thirty (30) days of the date of this letter.

In accordance with Chapter 391-1-3 of the Public Participation in Enforcement of Environmental Statutes Rule, EPD plans to issue public notice on this Order once the Order has been signed and returned by the City. After consideration of any comments received during the 30-day comment period, EPD will present to the City an executed Order or an Order with modifications based upon comments received pursuant to the

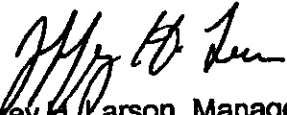
Mayor Dan A. Wells
Page 2
February 11, 2003

public notice. In the event that no changes are made to the proposed Order previously forwarded to the City, the City will be responsible for returning the settlement amount to EPD in the form of a check for \$5,200, made payable to the Georgia Department of Natural Resources, within 30 days of the execution date of the Order.

The additional compliance issues discussed at the City's meeting with EPD on January 28, 2003 will be addressed through a separate enforcement action.

EPD considers this settlement to be a reasonable resolution to this issue. We urge your prompt attention to this matter.

Sincerely,


Jeffrey H. Larson, Manager
Permitting, Compliance and Enforcement Program

JHL/djwl

Attachment

GEORGIA ENVIRONMENTAL PROTECTION DIVISION
PERMITTING, COMPLIANCE, AND ENFORCEMENT PROGRAM
4220 INTERNATIONAL PARKWAY, SUITE 101
ATLANTA, GEORGIA 30354

EXPEDITED ENFORCEMENT COMPLIANCE ORDER AND SETTLEMENT AGREEMENT

PART I: COMPLIANCE ORDER

Permit No.: GA02-087

City of Cairo Land Application System

(Name of Facility)

529 Wright Road

(Facility Address)

Cairo, Georgia 31728

Name of Owner, Operator, or Responsible

Official: Honorable Dan A. Walls, Mayor

City of Cairo

(Address)

Post Office Box 28

Cairo, Georgia 31728-0028

The Environmental Protection Division (EPD) is aware of the fact that City of Cairo (City) experienced six unpermitted discharges, with three being from its wastewater treatment plant. Occurring on March 2, 2002, March 3, 2002, and November 12, 2002. Additionally, three from its Seventh Avenue lift station, occurring on March 2, 2002, March 3, 2002 and September 19, 2002, that entered the waters of the State (Parker's Mill Creek and Little Tired Creek). Unpermitted discharges to the waters of the State are violations of your LAS Permit, Chapter 391-3-6, of the Georgia Rules and Regulations for Water Quality Control, and Title 12, Chapter 5 of the Official Code of Georgia Annotated (Code). The following violations noted, in accordance to sections 12-5-20, through 12-5-53, of the Code and its corresponding settlement amount, are listed below:

391-3-6-.05 [12-5-29(a)], Settlement \$ 2,000.00

Nature of Violation: 4 unpermitted discharges of <10,000 gallons of raw sewage to the waters of the State.

391-3-6-.05 [12-5-29(a)], Settlement \$ 3,200.00

Nature of Violation: 2 unpermitted discharges of >10,000 gallons of raw sewage to the waters of the State.

750-3-____ [43-51-____], Settlement \$ _____

Nature of Violation: _____

TOTAL SETTLEMENT AMOUNT \$ 5,200.00

The City of Cairo is hereby ordered to correct the violation and pay the settlement amount.

This Compliance Order is issued solely with reference to the Settlement Agreement in Part II of this form. If the Settlement Agreement in Part II is not returned in correct form by the City of Cairo within 30 days of receipt, this Compliance Order can be withdrawn without prejudice to EPD's ability to file additional enforcement actions for the above violation or any other violations.

PART II: SETTLEMENT AGREEMENT

The Georgia Environmental Protection Division (EPD) offers this Settlement Agreement as an expedited enforcement procedure in order to settle the violation listed in the Compliance Order in Part I of this form subject to the following terms and conditions:

The City of Cairo, by signing below, certifies under penalty of law that: a) the information submitted in this and all attached documents have been personally examined and that the City of Cairo is familiar with the information; b) the **CITED VIOLATION WILL BE CORRECTED** immediately; and c) the City of Cairo will remit payment in the form of a check made payable to the Georgia Department of Natural Resources for \$5,200.00 within 30 days of the execution date of this order.

Upon EPD final approval of this Settlement Agreement, EPD will take no further action against the City of Cairo for the specific violation described in this Compliance Order. EPD does not waive any enforcement action by EPD, the State, or any local agencies for any past, present or future violations of the Water Quality Control Rules. This Order does not relieve the City of Cairo of any obligations or requirements of the Permit.

This Settlement Agreement is binding on EPD and the City of Cairo once it is signed below. This Settlement Agreement is not negotiable and is effective upon EPD's final approval below. Upon final approval, EPD shall mail a copy of the approved Settlement Agreement to the City of Cairo signing below.

Final approval of the Settlement Agreement is in the sole discretion of the Director of EPD, or authorized delegate.

BY (print name): _____

TITLE: _____

SIGNATURE: _____

DATE: _____

FINAL ORDER BY EPD this _____ day of _____, 2003.

Harold F. Rehels, Director

COMPLIANCE ORDER NO: _____

PERMITTING, COMPLIANCE AND ENFORCEMENT PROGRAM
ROUTING SLIP

FOR:

DATE:

CONTROL#:

	Route Through	Initials	Date
1.	DJW	<i>[Signature]</i>	01/31/2003
2.	MSH	MSH	2/5/03
3.	JHL		
4.			
5.			
6.			
7.			

INITIALS/SIGNATURE REQUIRED ON:

- | | |
|--|-----------------------------|
| <input checked="" type="checkbox"/> Cover Letter | To be signed by: <u>JHL</u> |
| <input type="checkbox"/> Memorandum | To be signed by: _____ |
| <input type="checkbox"/> Attachments | To be signed by: _____ |
| <input type="checkbox"/> Other | To be signed by: _____ |

REMARKS:

RETURN TO: _____

SECRETARIAL REMINDERS:

- ☐ Before Mailing, Attach Additional Materials
- ☐ Do Not Mail Attachments: ☐ Keep In Pending File ☐ Return to Specialist
- ☐ Send Blind Copies to: _____
- ☐ Before Mailing, Attach Certified Mail Form
- ☐ Other:

ENVIRONMENTAL PROTECTION DIVISION
OF THE
DEPARTMENT OF NATURAL RESOURCES
STATE OF GEORGIA

IN RE: City of Cairo Land Application System
Grady County, Georgia

ORDER NO. EPD-WQ-4171

CONSENT ORDER

WHEREAS, the City of Cairo (City) was issued Land Application System Permit No. GA02-087 (Permit) by the Director of the Georgia Environmental Protection Division, (Director, EPD) for its wastewater treatment facility (Facility); and

WHEREAS, the Permit authorizes the Facility to discharge treated wastewater according to effluent limitations, monitoring requirements, and other conditions set forth in the Permit; and

WHEREAS, on June 15th, 2000, Consent Order No. EPD-WQ-3749 (Order) was executed between EPD and the City for biosolids handling and run-off from the LAS site; and

WHEREAS, condition No. 4 of this Order required the City to submit a schedule with milestone dates for corrective actions to eliminate run-off from the LAS; and

WHEREAS, in December 2000 the City submitted a schedule for the WPCP upgrade; and

WHEREAS, milestone dates within this schedule were not met by the City; and

WHEREAS, in October 2001 an updated schedule for the WPCP upgrade was submitted to EPD by the City; and

WHEREAS, milestones dates within this schedule were not achieved; and

WHEREAS, during a January 13, 2003 inspection of the Land Application System (LAS) spray site, EPD documented severe run-off into nearby streams and ponding; and

WHEREAS, during the January 13, 2003 Inspection two breakages in the sprayfield distribution lines were observed; and

WHEREAS, a meeting was held between EPD and the City on January 28, 2003 to discuss the run-off, operation and the rehabilitation and upgrade schedules of the LAS; and

WHEREAS, run-off from the LAS site continues to be a significant and chronic problem; and

WHEREAS, to date, EPD has received \$33,000 in stipulated penalties as required by the Order to address site run-off and missed deadline dates (for the Facility upgrade); and

WHEREAS, the City has plans for a lift station rehabilitation project to address sanitary sewer overflows as part of the Facility upgrade; and

WHEREAS, Section 12-5-29(a) of the Official Code of Georgia Annotated (Code) makes it unlawful to use any waters of the State to dispose of sewage or other waste, except to comply with the Code and the rules, regulations, orders and permits established under the Code; and

WHEREAS, Section 391-3-6-.06(4)(a) of the EPD's Rules and Regulations for Water Quality Control (Rules) requires all pollutants shall receive such treatment or corrective action so as to ensure compliance with the terms and conditions of the permit; and

WHEREAS, the run-off from the LAS constitutes a violation of this Rule; and

WHEREAS, Part C.2. of the Permit states that the City shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities (and related appurtenances) which are installed or used by the City to achieve compliance with the terms and conditions of the Permit; and

WHEREAS, Section 12-5-52(a) of the Code specifies that any person violating the Code or any permit condition or limitation established pursuant to the Code shall be liable to the State of Georgia for a civil penalty not to exceed \$50,000 per day of violation; and

WHEREAS, failure of the Director to take appropriate enforcement action against the City for noncompliance would result in Federal enforcement action against the City; and

WHEREAS, the City, in an effort to cooperate with EPD and to comply with the provisions of the Code, agrees to comply with the terms and conditions of this Order.

NOW, THEREFORE, the Director ORDERS and the City AGREES as follows:

- 1. By September 30, 2003, submit to EPD schedules with major milestone dates (start and end construction dates) for the treatment works upgrade and for the lift station rehabilitation project to address LAS run-off and collection system overflows. Once received and approved by EPD, the schedules will be incorporated as part of the Order requirements.**
- 2. Pay to the Georgia Department of Natural Resources a stipulated penalty of \$1,000 per month for each month or portion thereof that the City fails to comply with any milestone date submitted as required within Condition No.**

1. A check in the penalty amount should be submitted to EPD by the 15th day of the month following the month in which the schedule milestone date was missed.
3. Pay to the Georgia Department of Natural Resources a stipulated penalty of \$1,000 per month for each month or portion thereof that there is run-off from the LAS during spraying operation, which results in a discharge to the waters of the State. A check in the penalty amount should be submitted to EPD by the 15th day of the month following the month in which the run-off occurs. The City must submit a report with the check that details the date, time, and estimated volume of each run-off event.

This Order does not waive EPD's power to take further enforcement action, or imply that EPD will not take such action, if the City fails to (1) meet the Permit limits (2) if the City does not fully satisfy the conditions of the Order, or (3) fully comply with other relevant requirements.

This Order is not a finding, adjudication of, or evidence of, a violation of any State law by the City nor does the City by its consent agree to any violations of State laws nor admit any liability to any third party or parties.

This Order is final and effective immediately, and shall not be appealable, and the City waives any hearing on its terms and conditions.

This Order supercedes Consent Order No. EPD-WQ-3749.

It is so ORDERED, CONSENTED and AGREED TO this ____ day of _____,
2003.

FOR THE DIVISION:

HAROLD F. REHEIS
Director

FOR THE CITY:

CITY OF CAIRO

BY: T. A. [Signature]

TITLE: Mayor

DATE: June 30, 2003